

FILED: December 3, 2024

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-1576 (L)
(1:23-cv-00077-CCE-LPA)

AMY BRYANT, M.D.

Plaintiff - Appellee

v.

TIMOTHY K. MOORE; PHILIP E. BERGER

Intervenors/Defendants - Appellants

and

JOSHUA H. STEIN, in his official capacity as Attorney General for the State of North Carolina; JEFF NIEMAN, in his official capacity as District Attorney for North Carolina 18th Prosecutorial District; KODY H. KINSLEY, in his official capacity as the North Carolina Secretary of Health and Human Services; MICHAUX R. KILPATRICK, M.D., PHD; CHRISTINE M. KHANDELWAL, DO, in her official capacity as a member of the North Carolina Medical Board; DEVDUTTA G. SANGVAI, M.D., MBA, in his official capacity as a member of the North Carolina Medical Board; JOHN W. RUSHER, M.D., JD, in his official capacity as a member of the North Carolina Medical Board; WILLIAM M. BRAWLEY, in his official capacity as a member of the North Carolina Medical Board; W. HOWARD HALL, M.D., in his official capacity as a member of the North Carolina Medical Board; SHARONA Y. JOHNSON, PHD, FNP-BC; JOSHUA D. MALCOLM, JD, in his official capacity as a member of the North Carolina Medical Board; MIGUEL A. PINEIRO, PA-C, MHPE, in his official

capacity as a member of the North Carolina Medical Board; MELINDA H. PRIVETTE, M.D., JD, in her official capacity as a member of the North Carolina Medical Board; ANURADHA RAO-PATEL, M.D., in her official capacity as a member of the North Carolina Medical Board; ROBERT RICH, JR., M.D., in his official capacity as a member of the North Carolina Medical Board

Defendants - Appellees

AMERICAN CENTER FOR LAW AND JUSTICE; NC VALUES INSTITUTE; FAMILY RESEARCH COUNCIL; CONCERNED WOMEN FOR AMERICA; STATE OF SOUTH CAROLINA; STATE OF ARKANSAS; STATE OF IOWA; STATE OF ALABAMA; STATE OF FLORIDA; STATE OF GEORGIA; STATE OF INDIANA; STATE OF KENTUCKY; STATE OF LOUISIANA; STATE OF MISSISSIPPI; STATE OF MONTANA; STATE OF NEBRASKA; STATE OF NORTH DAKOTA; STATE OF OKLAHOMA; STATE OF SOUTH DAKOTA; STATE OF TENNESSEE; STATE OF UTAH; STATE OF WYOMING; HEARTBEAT INTERNATIONAL; ADVANCING AMERICAN FREEDOM, INC.; SUSAN B. ANTHONY PRO-LIFE AMERICA; CHARLOTTE LOZIER INSTITUTE; AMERICANS UNITED FOR LIFE; STUDENTS FOR LIFE OF AMERICA; AFA ACTION; ALABAMA POLICY INSTITUTE; AMAC ACTION; AMERICAN VALUES; ANGLICANS FOR LIFE; ASSOCIATION OF MATURE AMERICAN CITIZENS; CENTER FOR POLITICAL RENEWAL; CENTER FOR URBAN RENEWAL AND EDUCATION; CHRISTIAN MEDICAL & DENTAL ASSOCIATIONS; CHRISTIANS ENGAGED; DEMOCRATS FOR LIFE; EAGLE FORUM; FAMILY COUNCIL IN ARKANSAS; FAMILY INSTITUTE OF CONNECTICUT ACTION; JOANN FLEMING; FRONTLINE POLICY COUNCIL; CHARLIE GEROW; GLOBAL LIBERTY ALLIANCE; HUMAN COALITION; INTERNATIONAL CONFERENCE OF EVANGELICAL CHAPLAIN ENDORSERS; JAMES DOBSON FAMILY INSTITUTE; TIM JONES; LAND CENTER FOR CULTURAL ENGAGEMENT; LOUISIANA FAMILY FORUM; LUTHERAN CENTER FOR RELIGIOUS LIBERTY; MEN AND WOMEN FOR LIFE; NATIONAL APOSTOLIC CHRISTIAN LEADERSHIP CONFERENCE; NATIONAL CENTER FOR PUBLIC POLICY RESEARCH; NATIONAL RELIGIOUS BROADCASTERS; NEW JERSEY FAMILY FOUNDATION; NEW MEXICO FAMILY ACTION MOVEMENT; NORTH CAROLINA RIGHT TO LIFE; NORTH CAROLINA VALUES COALITION; PACIFIC JUSTICE INSTITUTE; PENNSYLVANIA EAGLE FORUM; PROJECT 21 BLACK LEADERSHIP NETWORK; PRO-LIFE

WISCONSIN; RIO GRANDE FOUNDATION; ROUGHRIDER INSTITUTE;
SAMARITAN'S PURSE; SETTING THINGS RIGHT; 60 PLUS
ASSOCIATION; PAUL STAM; STAND FOR GEORGIA VALUES ACTION;
CHRISTIAN LAW ASSOCIATIONS; FAMILY FOUNDATION (VIRGINIA);
JUSTICE FOUNDATION; TRADITION, FAMILY, PROPERTY, INC.;
WOMEN FOR DEMOCRACY IN AMERICA; WISCONSIN FAMILY
ACTIONS; YOUNG AMERICA'S FOUNDATION; YOUNG
CONSERVATIVES OF TEXAS

Amici Supporting Appellant

DOCTORS FOR AMERICA; PHARMACEUTICAL COMPANIES,
EXECUTIVES, AND INVESTORS; AMERICAN COLLEGE OF
OBSTETRICIANS AND GYNECOLOGISTS; SOCIETY FOR MATERNAL
FETAL MEDICINE; SOCIETY OF FAMILY PLANNING; AMERICAN
ACADAMY OF FAMILY PHYSICIANS; AMERICAN ACADEMY OF
NURSING; AMERICAN COLLEGE OF MEDICAL GENETICS AND
GENOMICS; AMERICAN COLLEGE OF PHYSICIANS; AMERICAN
COLLEGE OF PREVENTIVE MEDICINE; AMERICAN GYNECOLOGICAL
AND OBSTETRICAL SOCIETY; AMERICAN MEDICAL WOMEN'S
ASSOCIATION; AMERICAN SOCIETY FOR REPRODUCTIVE MEDICINE;
COUNCIL OF UNIVERSITY CHAIRS OF OBSTETRICS AND
GYNECOLOGY; NORTH AMERICAN SOCIETY FOR PEDIATRIC AND
ADOLESCENT GYNECOLOGY; SOCIETY OF GENERAL INTERNAL
MEDICINE; SOCIETY OF GYNECOLOGICAL ONCOLOGY;
REPRODUCTIVE HEALTH RESEARCHERS; DISTRICT OF COLUMBIA;
STATE OF MASSACHUSETTS; STATE OF CALIFORNIA; STATE OF
COLORADO; STATE OF CONNECTICUT; STATE OF DELAWARE; STATE
OF ILLINOIS; STATE OF MAINE; STATE OF MARYLAND; STATE OF
MICHIGAN; STATE OF MINNESOTA; STATE OF NEW JERSEY; STATE OF
NEW YORK; STATE OF OREGON; STATE OF WASHINGTON; NATIONAL
ASSOCIATION OF NURSE PRACTITIONERS IN WOMEN'S HEALTH;
AMERICAN COLLEGE OF NURSE-MIDWIVES

Amici Supporting Appellee

No. 24-1600
(1:23-cv-00077-CCE-LPA)

AMY BRYANT, M.D.

Plaintiff - Appellant

v.

TIMOTHY K. MOORE; PHILIP E. BERGER

Intervenors/Defendants - Appellees

and

JOSHUA H. STEIN, in his official capacity as Attorney General for the State of North Carolina; JEFF NIEMAN, in his official capacity as District Attorney for North Carolina 18th Prosecutorial District; KODY H. KINSLEY, in his official capacity as the North Carolina Secretary of Health and Human Services; PHD MICHAUX R. KILPATRIC, M.D.; DO CHRISTINE M. KHANDELWAL, in her official capacity as a member of the North Carolina Medical Board; MBA DEVDUTTA G. SANGVAI, M.D., in his official capacity as a member of the North Carolina Medical Board; JD JOHN W. RUSHER, M.D., in his official capacity as a member of the North Carolina Medical Board; WILLIAM M. BRAWLEY, in his official capacity as a member of the North Carolina Medical Board; W. HOWARD HALL, M.D., in his official capacity as a member of the North Carolina Medical Board; PHD, FNP-BC SHARONA Y. JOHNSON; JD JOSHUA D. MALCOLM, in his official capacity as a member of the North Carolina Medical Board; PA-C, MHPE MIGUEL A. PINIERO, in his official capacity as a member of the North Carolina Medical Board; JD MELINDA H. PRIVETTE, M.D., in her official capacity as a member of the North Carolina Medical Board; ANURADHA RAO-PATEL, in her official capacity as a member of the North Carolina Medical Board; ROBERT RICH, JR., M.D., in his official capacity as a member of the North Carolina Medical Board

Defendants - Appellees

No. 24-1617
(1:23-cv-00077-CCE-LPA)

AMY BRYANT, M.D.

Plaintiff - Appellee

v.

JOSHUA H. STEIN, in his official capacity as Attorney General for the State of North Carolina

Defendant - Appellant

and

TIMOTHY K. MOORE; PHILIP E. BERGER

Intervenors/Defendants - Appellees

WILLIAM M. BRAWLEY, in his official capacity as a member of the North Carolina Medical Board; W. HOWARD HALL, M.D., in his official capacity as a member of the North Carolina Medical Board; PHD, FNP-BC SHARONA Y. JOHNSON; KODY H. KINSLEY, in his official capacity as the North Carolina Secretary of Health and Human Services; DO CHRISTINE M. KHANDELWAL, in her official capacity as a member of the North Carolina Medical Board; PHD MICHAUX R. KILPATRICK, M.D.; JD JOSHUA D. MALCOLM, in his official capacity as a member of the North Carolina Medical Board; JEFF NIEMAN, in his official capacity as District Attorney for North Carolina 18th Prosecutorial District; PA-C, MHPE MIGUEL A. PINEIRO, in his official capacity as a member of the North Carolina Medical Board; JD MELINDA H. PRIVETTE, M.D., in her official capacity as a member of the North Carolina Medical Board; ANURADHA RAO-PATEL, in her official capacity as a member of the North Carolina Medical Board; ROBERT RICH, JR., M.D., in his official capacity as a member of the North Carolina Medical Board; JD JOHN W. RUSHER, M.D., in his official capacity as a member of the North Carolina Medical Board; MBA DEVDUTTA G. SANGVAI, M.D., in his official capacity as a member of the North Carolina Medical Board

Defendants

O R D E R

For reasons appearing to the court, this case is placed in abeyance pending a decision by this court in *GenBioPro, Inc. v. Raynes*, No. 23-2194.

For the Court

/s/ Nwamaka Anowi, Clerk